

CHAPTER 320: PROCUREMENT (INCL. EQUIPMENT)

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321 PROCUREMENT AUTHORITY

DNRC is delegated procurement authority by the Department of Administration. This delegation specifies that DNRC has the authority to purchase/rent regardless of delegated authority limits, wildfire suppression equipment, supplies and services following the requirements of the Montana Procurement Act, 18-4-101 through 18-4-314, MCA, Title 2, chapter 5, ARM.

DNRC will follow all procurement rules when purchasing/renting equipment to meet fire suppression needs.

See the DNRC Procurement Manual, located at the following website:

<http://dnrc.mine.mt.gov/Divisions/Director/Procurement/default.asp>

DNRC Procurement & Contracting Forms may be located at the following website:

<http://dnrc.mine.mt.gov/Divisions/Director/Procurement/Forms.asp>

Additional information on ordering of specialized equipment and other resources not readily available locally is contained in the DNRC Fire Suppression 900 Manual, Section 960. This manual can be found at the following web address:

<http://dnrc.mt.gov/forestry/Fire/Manuals/900manual.asp>

322 EQUIPMENT AND OTHER RENTAL

The Montana Department of Natural Resources (MTDNRC) may utilize any resource to aid in the suppression/rehabilitation of any fire on lands protected by the State of Montana. This includes, but is not limited to use of any resource from the following sources: DNRC, other States, Federal agencies, local government fire forces, other countries (e.g. Canadian Resources via NW Compact) and private contract resources (including Competed Solicitation Resources and local EERAs). DNRC will order and utilize resources from the best, closest and most appropriate source as determined on the basis of urgency (date & time needed), availability, delivery time, reasonable cost, and operational impact on the agency & incident. This allows DNRC to select resources that will allow the fastest, most effective and of most importance safe suppression of fires occurring on state protection.

A. STATE-OWNED, HIRED OR LEASED EQUIPMENT

Time recording of State-owned, Federal Excess Personal Property (FEPP) or leased equipment is accomplished by using the OF-287 Emergency Equipment Shift Ticket which is then posted to the OF-286 Emergency Equipment Use Invoice needed for billing/payment and County Co-op Support Funding purposes.

1. Cooperating Agency Equipment

If applicable, charges for equipment owned or operated by cooperating agencies and used on DNRC fires will be included in the agency bill presented to DNRC for payment. Timekeeping for such use will be done by the cooperating agency on its own regular forms. No additional DNRC documentation is required. If the cooperating agency has no regular equipment use reporting system, the OF-287 Emergency Equipment Shift Tickets summarized onto the OF-286 Emergency Equipment Use Invoice, should be used to record and bill for equipment use.

2. Reimbursement for Use of DNRC Equipment by Other Agencies

See DNRC Fire Follow-up - 1000 Manual and the NRCG Chapter 50 supplement to the NWCG Interagency Incident Business Management Handbook (IIBMH) Section 01.9 – State Owned Equipment.

All equipment use is to be recorded on the OF-287 Emergency Equipment Shift ticket which is then posted to the OF-286 Emergency Equipment Use Invoice. Also attached must be a Resource Order documenting the order of that same equipment for use on the incident. These Use Invoices are not submitted through SAHBRS for payment. They should be marked “County Co-op Support Funding Reference Only” and forwarded to the BMB Financial Specialist for billing to the using agency.

B. COMPETED RESOURCES

See NRCG Chapter 20 supplement to the IIBMH, General Guidelines for Equipment Hire.

NRCG member agencies agreed to establish and use competed resources where agency regulations allow. The exception to this requirement will be during Initial Attack (IA), when closest resources may be used to accomplish the agency mission. DNRC may utilize any resource to aid in the suppression/rehabilitation of any fire on lands protected by the State of Montana. This includes, but is not limited to use of any resource from the following sources: DNRC, other States and Federal agencies, local government fire forces, and private contract resources (including Competed Solicitation Resources and local EERAs). DNRC will order and utilize resources from the best, closest and most appropriate source as determined on the basis of urgency (date & time needed), availability, delivery time, reasonable cost, and operational impact on the agency and incident. This allows DNRC to select resources that will allow the fastest, most effective and of most importance safe suppression of fires occurring on state protection.

If a private contractor utilized during IA or after competed resources are exhausted, does not have an agreement through this competed process, an EERA may be written on an *INCIDENT ONLY* basis. Please see the NRCG Chapter 20 supplement to the IIBMH for current rates for private contractors being hired under these circumstances. Equipment that has not been competed, but is available locally, can be procured through the execution of an EERA at any time. See Appendix for Contractor/Operator Checklist and Business Management

Bureau (BMB) Standard Operating Procedures.

1. Forest Service Competed Agreements

Bus, Crew Carrier; Crew, Type 2 IA; Dozer; Engine; Excavator; Faller Module; GIS Units; Office, Clerical Support Module; Pumper Cat; Skidgine; Soft Track; Tender, Water (Support); Transports; and Truck, Mechanic/Service: The first source of supply for these pieces of private equipment shall be the USDA Forest Service competed agreements.

These agreements are administered by Debby Wesselius, USFS Contracting Officer at (406) 329-3333. The agreements can be found on the NRCG Web site: <http://www.fs.fed.us/r1/fire/nrcg/agree-contract/index.html>

2. Bureau of Land Management Competed Agreements

Tent/Canopy, Potable Water Trucks, Fuel Trucks, Gray Water Trucks and Type 3 Caterers – The first source of supply for these pieces of private equipment shall be the Bureau of Land Management (BLM) Agreements.

These agreements are administered by Velvett Cummins, BLM, at (406) 896-5191. The agreements can be found on the NRCG Web site: <http://www.fs.fed.us/r1/fire/nrcg/agree-contract/index.html>

3. Bureau of Indian Affairs Competed Agreements

Crew Buggies and Weed Wash Units – The first source of supply for these pieces of private equipment shall be the Bureau of Indian Affairs (BIA) Agreements.

These agreements are administered by Kathy Eder, BIA, at (406) 247-7941. The agreements can be found on the NRCG Web site: <http://www.fs.fed.us/r1/fire/nrcg/agree-contract/index.html>

4. Montana Department of Natural Resources and Conservation (DNRC) Competed Agreements

Portable Toilets, Handwash Stations, Rental Vehicles, and CWN Helicopters – The first source of supply for these pieces of equipment will be the Montana Department of Natural Resources and Conservation (DNRC) Agreements.

These agreements are administered by the Incident Business Coordinator, (406) 542-4300. These agreements can be found at: <http://dnrc.mt.gov/forestry/Fire/Business/ContractList.asp>

C. NON-COMPETED RESOURCES

See IIBMH, Chapter 20 (white pages) – Acquisition, Emergency Equipment Rental Agreements (EERA), the NRCG Chapter 50 supplement to the IIBMH, and the DNRC Fire & Aviation, Fire Business website:

<http://dnrc.mt.gov/forestry/Fire/Business/Contractorinfo.asp>

D. LOCAL GOVERNMENT FIRE FORCES (LGFF)

See the NRCG Chapter 50 supplement to the IIBMH for rates and minimum standards for equipment rented from Montana Local Government Fire Forces (LGFF).

1. LGFF Resources

Procurement of equipment from Local Government Fire agencies will follow the procedures established by Section 323 of this manual, the NRCG Mobilization of Local Firefighting Forces and NRCG Chapter 50 supplement to the IIBMH.

2. All payments made by a State agency to any city, town, county, or local government entity must be payable to the finance officer of the appropriate city, town, or county. There should be sufficient documentation with the payment to specify where the payment is to be directed or applied, such as the local Fire Department name.

MCA 17-8-311. Payments to local government entities – notice.

- (a) *"Finance officer" means the county treasurer, city treasurer, town clerk, or the equivalent provided for in Title 7, Chapter 3, MCA.*
- (b) *"Local government entity" means a public entity that, whether or not governed by the legislative body of local government, is required by law to conduct financial affairs through the finance officer of a city, town, or county.*

Examples of a local government entity include the Fergus County Weed Board and the Jocko Rural Fire District. This term does not include a school district or a conservation district.

If the State agency is unable to determine if the payee is a local government entity, the State agency shall process the claim to the entity in question and mail a notice of payment to the finance officer of the county and city to which the payment was issued.

E. INSPECTION GUIDANCE FORMS

The equipment shall meet the requirements of the OF-296 Vehicle/Heavy Equipment Safety Inspection Checklist. See the IIBMH, Chapter 20, for the “OF-296 - Vehicle/Heavy Equipment Safety Inspection” form.

F. MOTOR CARRIER SAFETY REGULATIONS

The Motor Carrier Safety Regulations can be found at the following website for your review or to print a copy for your files.

<http://www.mdt.mt.gov/mdt/organization/mcs.shtml>

Please note: “Some states may have different rules, and some agencies may adopt more stringent rules. This guide is not intended to replace any law or rule; it is up to you to know the law.”

G. LAND OR OTHER FACILITIES

1. Rental of Land or Other Facilities

The short-term rental of land, office, or warehouse space shall be on a daily rate, weekly or monthly agreement basis. Rental may be processed by the most appropriate method. The rental document shall indicate who will be responsible for providing service and utilities, if any are required. Other facilities can include fire stations, command vehicles, Red Cross or Salvation Army canteen vehicles.

A joint pre- and post-inspection shall be made of the premises. Such inspection shall note all improvements and their condition, including items such as fences, buildings, wells, crops, road condition, etc.

For Land Use Agreements, see the IIBMH Chapter 20 or the DNRC Fire & Aviation, Fire Business website:

<http://dnrc.mt.gov/forestry/Fire/Business/Miscforms.asp>

323 SOURCES OF SUPPLY

Supplies to be used for fire suppression should normally be obtained from the most economic (i.e., least costly) source, provided that the items needed can be delivered in time and in sufficient quantity for operational requirements. Local cooperating agency supplies can also be considered and, if needed, provided for in local annual operating plans.

Land Offices should also make annual pre-season local arrangements for commercial purchase of supplies normally needed for fire suppression. These pre-season arrangements can be shared and coordinated, if appropriate, with local cooperating

agencies. Land Offices should annually prepare a summary of such prearranged contracts, agreements, and arrangements. This should be included as a supplement to this section of the local manual, for use by procurement personnel supporting the fire suppression effort. This is normally called the Service & Supply Plan. See the Appendix for an example.

The service and supply plan should list vendor names, day/night telephones, addresses, rates, etc. and include the following:

- ✕ Completed rental agreement for equipment, separated into broad categories, such as bulldozers, trucks, saws, etc.
- ✕ Available local open-market sources--list sources for heavy-demand items such as food supplies, food service (include menus if appropriate), fuel, equipment repair service, batteries, clothing, etc.
- ✕ Logistical support agreements with local cooperating agencies.

A. FIRE CACHES AND MOBILE KITCHENS

DNRC maintains mobile fire caches and kitchens. See the NRCG Chapter 50 supplement to the IIBMH, Section 01.9 – State Owned Equipment.